

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

LEE *et al.*

Appl. No.: 10/521,313

§371 Filing Date: January 14, 2005; PCT  
Filed: July 15, 2003

For: **HER-2 NEU DNA VACCINE  
HAVING ANTI-CANCER  
ACTIVITY**

Confirmation No.: 9295

Art Unit: 1633

Examiner: Hill, Kevin Kai

Atty. Docket: 2298.0080002/EJH/BNC

**Reply to Notice of Non-Compliant Amendment (37 C.F.R. § 1.121)**

*Mail Stop Amendment*

Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

Sir:

In reply to the Notice of Non-Compliant Amendment dated October 28, 2008,  
Applicants submit the following Amendment and Remarks.

**Amendments to the Claims** begin on page 2 of this paper.

**Remarks** begin on page 7 of this paper.

It is not believed that extensions of time or fees for net addition of claims are required beyond those that may otherwise be provided for in documents accompanying this paper. However, if additional extensions of time are necessary to prevent abandonment of this application, then such extensions of time are hereby petitioned under 37 C.F.R. § 1.136(a), and any fees required therefor (including fees for net addition of claims) are hereby authorized to be charged to our Deposit Account No. 19-0036.